



**DISTRICT ATTORNEY'S OFFICE**  
**TWENTIETH JUDICIAL DISTRICT**

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MARY T. LACY, DISTRICT ATTORNEY

September 7, 2006

Mr. Daniel J. Caplis  
The Caplis and Silverman Show  
630 KHOW, The Talk Station  
4695 S. Monaco Street  
Denver, CO 80237

RE: Your first request for criminal justice records

Dear Mr. Caplis:

This letter is in response to your first request under the Colorado Criminal Justice Records Act for records of the criminal investigation into John Mark Karr. That request is limited to records about obtaining and testing samples for DNA; however, it is quite broad in that you request "all documents" of whatever form, including "electronic mail, handwritten notes, telephone messages, correspondence, reports, etc.," memoranda, shipping/ mailing invoices, charges, and test results.

As you know, this investigation took place on two continents and involved many people in many cities. Mr. Karr was only located and identified quite recently. The investigation into his background that could only occur after he was identified was then quite intense. Communication was often in person, by phone, or by e-mail.

To provide you with a complete response to your request would require our investigators to review their records, notes, and correspondence for any reference that might be responsive to your inquiries. That would be quite time consuming and burdensome and would distract them from their normal assignments.

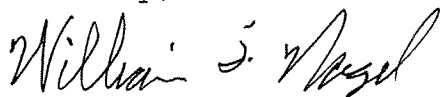
I am attaching a copy of the affidavit in support of the search warrant for the buccal swab from Mr. Karr (with limited identifying information redacted). This sworn statement from the court record includes answers to your questions 1, 2, and 4. In particular, I direct you to pages 7-8 and 11.

With regard to your third question for information about the testing of DNA samples, I must decline to allow you access because to provide the results of chemical biological substance testing to determine the genetic markers would not be in the public interest.

With regard to your request for notes, reports, and other documents from our investigatory files, I also decline to allow you access because to allow inspection and further dissemination of our records of this investigation would be contrary to the public interest. § 24-72-305(5), C.R.S.; *Harris v. Denver Post*, 123 P. 3d 1166 (Colo. 2005). We are continuing to investigate the homicide of JonBenet Ramsey. Many in the media and others have recently acknowledged the difficulty of evaluating any leads in this case because of the amount of investigatory material that has come into the public domain. We believe that it would only further aggravate the difficulties for our future investigatory efforts to add more information about this case to that which has already been publicly disseminated. Modern advances make it more possible now than ever before to investigate cold, unsolved cases successfully so that it is important to maintain as much confidentiality as possible, even for cases that occurred long ago.

We also note that we have already provided countless e-mails, tapes, and other affidavits and documents about the investigation into Mr. Karr and have answered many questions about our decisions.

Sincerely,



William F. Nagel  
Assistant District Attorney

In the Combined Court )  
County of Boulder )  
State of Colorado )  
The People of the State )  
of Colorado )

Before the Honorable:

ROXANNE BAILIN

SEARCH WARRANT

No Knock: Yes \_\_\_\_\_

TO Investigator Thomas A. Bennett or any officer authorized by law to execute search warrants within the State of Colorado. Being duly advised that the Affiant, Investigator Thomas A. Bennett has this date filed an affidavit for a search warrant in conformity with the provisions of the Colorado Revised Statutes and the Colorado Rules of Criminal Procedure, for the following described property, to wit:

**Buccal Swabs**

Believe to be contained in the person known as: John Mark Karr DOB/12-11-64, who is incarcerated at the Los Angeles County Twin Towers Detention Facility; address 450 Bauchet Street, Los Angeles, CA 90012, who is described as a Caucasian Male, Height: 5'07", Weight: 140 lbs., Brown hair, Blue eyes; and which is further described in the affidavit incorporated into this warrant, upon one or more of the grounds as set forth in Rule 41, Colorado Rules of Criminal Procedure, namely

- Is stolen or embezzled, or
- Is designed or intended for use in committing a criminal offense, or
- Is or has been used as a means of committing a criminal offense, or
- Is illegal to possess, or
- Would be material evidence in a subsequent criminal prosecution, or required, authorized or permitted by a statute of the State of Colorado, or
- Is a person, property or thing the seizure of which is expressly required, authorized or permitted by a statute of the State of Colorado, or
- Is kept, stored, transported, sold, dispensed, or possessed in violation of a statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health.

Based upon the affidavit of Investigator Thomas A. Bennett which is incorporated herein by reference, I am satisfied that there is probable cause to believe that the property so described is located on the person above described. **YOU ARE THEREFORE COMMANDED** to search forthwith the place or person described for the property described (during the daytime) or (at any time) and to make return of this warrant to the undersigned Judge within ten (10) days thereof and to deliver to the person from whom the property is taken or to the premises from which the property is taken, a copy of this Warrant together with a receipt for the property taken or, in lieu thereof, to leave a copy of the Warrant and receipt at the place from which the property is taken, and to deliver to the undersigned Judge a written inventory of the property taken with the return of this warrant.

Dated on the 21st day of August, 2006 in the County of Boulder, State of Colorado.



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Signature of Judge

Agency Case Report No.: 2006CR1244  
Officer Name: Thomas A. Bennett  
Agency: Boulder District Attorney's Office

STATE OF COLORADO  
COUNTY OF BOULDER

IN THE DISTRICT COURT  
BOULDER COUNTY, COLORADO

## AFFIDAVIT FOR SEARCH WARRANT

Your affiant, Thomas A. Bennett, a duly sworn commissioned investigator for the Boulder County District Attorney's Office, County of Boulder, State of Colorado, deposes and says:

Your affiant, Chief Investigator Thomas A. Bennett of the Boulder County District Attorney's has a total of 31 years of Law Enforcement experience.

Your affiant requests a Search Warrant be issued based on the following:

On 12/26/96, at 5:57 AM, a 911-telephone call was received at the Boulder Police Department, address 1805 33<sup>rd</sup> Street, Boulder, Boulder County, Colorado. The caller identified herself as Patricia Ann Ramsey, DOB/ 12-29-56. Patricia, or "Patsy" as she is known by her family and friends, reported her daughter -JonBenet Ramsey DOB/08-06-90 (age 6 at the time of the incident) had been kidnapped from the Ramsey residence located at 755 15<sup>th</sup> Street, City of Boulder, Boulder County, Colorado. Ms. Ramsey added a handwritten ransom note had been left in the house. The kidnappers demanded \$118,000.00. The kidnappers indicated in the note that they would call back at 10:00 AM with further instructions.

Boulder Police Department Crime Report P96-21871 addresses the investigation.

Boulder Police Officer Rick French was the first officer to arrive at the scene and made contact with the parents of the victim, identified as John Bennett Ramsey DOB/12-07-43 and his wife Patricia Ramsey. The parents related that the previous evening, this being Christmas day 12/25/96, they along with JonBenet Ramsey age 6 and JonBenet's brother identified as Burke Hamilton Ramsey DOB/01-27-87 (age 9) had attended a Christmas party at a friends house and had returned to the Ramsey home at approximately 10:00 PM. JonBenet was asleep in the family vehicle upon arrival at the Ramsey residence. John Ramsey carried JonBenet from the family vehicle to the second floor bedroom she occupied in the home. JonBenet was last seen in her bed asleep at approximately 10:00 PM on 12/25/96. John Ramsey, his wife Patsy Ramsey and their son Burke also retired at approximately 10:30 PM. John and Patsy Ramsey retired to their upper level master bedroom. Burke retired to his own bedroom.

The Ramsey family had previously prepared for a trip to Charlevoix, Michigan the next morning (December 26, 1996) using a small private airplane.

Patsy Ramsey stated she awoke shortly after 5:30 AM the morning of 12/26/96 and was going to prepare for the trip to Charlevoix, Michigan. Officer Rick French reported Patsy Ramsey checked the bedroom of JonBenet and noticed her daughter was not in her bed.

AFFIDAVIT FOR SEARCH WARRANT  
UNDER RULE 41 AND TITLE 16,  
C.R.S. AS AMENDED  
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Patsy descended a spiral staircase leading from the second floor to the first floor and found a 3-page handwritten note on the stairs. Ms. Ramsey briefly reviewed the note and determined that it was a note demanding ransom for the return of their daughter, JonBenet. Patsy Ramsey told her husband John Ramsey of the discovery of the note. Patsy and John Ramsey checked their daughter's room and discovered JonBenet was missing from her bedroom. Patsy Ramsey called 911 and reported the kidnapping to the Boulder, Colorado Police Department.

Officer Rick French arrived and conducted a preliminary examination of the Ramsey residence and was unable to locate JonBenet Ramsey in the home. Officer French requested assistance at the scene by way of his police radio.

Other Boulder Police Officers including Detective Linda Arndt responded to the scene. The scene was initially treated as a kidnapping. Telephone surveillance was initiated pending the anticipated telephone call from the kidnappers at 10:00 AM. The phone call was not received at the Ramsey home. At approximately 1:00 PM on the same date of 12-26-96, Detective Arndt asked John Ramsey and a friend of Mr. Ramsey, identified as Fleet White DOB/05-19-49 to search the home again.

John Ramsey and Fleet White entered the basement of the residence. John Ramsey found his daughter on the floor in a windowless storeroom. JonBenet Ramsey was partially covered with a blanket and had duct tape on her mouth. Ligatures were on her wrists and a garrote type device encircled her throat. John Ramsey related that he removed the duct tape from his daughter's mouth and one of the ligatures from her wrists and then picked her up and brought her upstairs. A red colored ink marking was noted on the palm of her left hand. Mr. Ramsey was instructed by Detective Arndt to lay his daughter on the floor of the hallway near the front door of the residence. A short time later JonBenet's body was moved from the hallway to the living room. JonBenet Ramsey was deceased and it appeared as though she had been murdered.

On 12-27-96 Dr. John Meyers, the coroner for the Boulder Coroner's Office, conducted an autopsy on JonBenet Ramsey. The external examination of JonBenet Ramsey revealed she was attired in white colored sweatshirt or similar apparel and white colored sweat pants with an elastic waistband. Under the sweatpants, JonBenet wore oversized white colored underwear bearing the lettering of "WEDNESDAY" on the elastic waistband. Suspected bloodstains were evident on the underwear. A bracelet was noted on JonBenet's right wrist. Inscribed on one side of the bracelet was the name "JonBenet" on the opposite side the date of "12-25-96" was inscribed. JonBenet's blonde hair was fixed in two (2) ponytails, affixed with either a cloth hair tie and/or blue elastic bands. Detectives with the Boulder Police Department, attending the autopsy, seized numerous items of evidence, including the aforementioned items of clothing, bracelet, rope ligatures and the garrote type device containing various knots. The handwritten ransom note was placed into evidence. These evidentiary items were later submitted to the Colorado Bureau of Investigation for analysis

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UNDER RULE 41 AND TITLE 16,  
C.R.S. AS AMENDED  
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The cause of death of JonBenet Ramsey as determined by Dr. Meyers was asphyxia by strangulation associated with craniocerebral injuries. Also there was evidence of trauma and bleeding to the vaginal area. The manner of death was Homicide.

On 12-30-96, the bloodstains obtained from the panties of JonBenet were submitted to the Colorado Bureau of Investigation for testing. The lab results indicated that the major component of blood was attributed to JonBenet Ramsey. A secondary minor component was also found.

A large number of witness were interviewed including all Ramsey family members, close friends of the Ramsey family, business associates of Mr. Ramsey coupled with a Neighborhood Investigation. Numerous items of evidence were collected and submitted to the Colorado Bureau of Investigation Crime Laboratory for forensic analysis. However, the case remained unsolved

Criminalist Greg LaBerge of the Denver Police Laboratory conducted tests on the bloodstains found in the panties of JonBenet. The results indicated that the minor secondary source of DNA contained a male fraction.

On 01-07-04 the minor secondary source of DNA found in the bloodspots of the panties was submitted to the Combined DNA Index System (CODIS) Database to be compared with existing and future samples submitted.

On May 10, 2006, your affiant conducted an interview with Michael Tracey, DOB/08-07-48, a Journalism Professor with the University of Colorado. Mr. Tracey produced a documentary on the death of JonBenet Ramsey entitled, "JonBenet's America", which aired in Europe during July 1998. Mr. Tracey also produced another documentary entitled "Who Killed the Pageant Queen" that was aired December 2004 in the United States. Mr. Tracey advised your affiant, that on September 10, 2002, he received an E-mail from an individual identifying himself as "December 25 1996@Yahoo.com". I later determined the E-mail was received at 4:31 PM Mountain Standard Time (MST). The E-mail was entitled "Our Sweetest JonBenet". This marked the first of a series of E-mails Mr. Tracey received from "December 25 1996" or "December 1996" during the next four years.

Mr. Tracey has provided your affiant with either printed copies of the E-mails he has received from the unidentified author or he has provided an electronic storage device containing the E-mails received. Your Affiant has personally reviewed all of the E-mails.

Michael Tracey received other E-mails from "December 1996@ziplip.com" detailing the writer's travels across Europe with "his girls" referring to the numerous young children in his company.

"December1996@ziplip.com" continued to write to Mr. Tracey during 2003 detailing his love of JonBenet Ramsey. The writer mentions his visits to 755 15<sup>th</sup> Street in Boulder,

